

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS

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CLERKS OFFICE

2005 MAR 21 P 4: 22

EILEEN GRADY,  
  
Plaintiff,  
  
v.  
  
WAREHAM POLICE DEPARTMENT,  
TOWN OF WAREHAM,  
THOMAS JOYCE, and  
MICHAEL J. HARTMAN  
  
Defendants.

C.A. NO: 05-10097-RWZ

U.S. DISTRICT COURT  
DISTRICT OF MASS

**JOINT STATEMENT OF PROPOSED PRE-TRIAL SCHEDULE**

The parties to the above action jointly file this Joint Statement of Proposed Pre-Trial Schedule pursuant to Rule 16.1(D) of the Local Rules of the United States District Court for the District of Massachusetts. In accordance with the provisions of L.R. 16.1(D), counsel have conferred concerning an agenda for matters to be discussed at the Scheduling Conference and a proposed pre-trial schedule for the case, including a plan of discovery and consideration of trial by Magistrate Judge.

**I. Discovery Plan**

**A. Automatic Document Disclosure**

Defendants and Plaintiff have, on February 23, 2005 and March 18, 2005, respectively, made the disclosures required by Fed. R. Civ. P. 26(a)(1).

**B. Discovery Deadline**

The parties expect that they will complete all discovery, including depositions, by October 31, 2005.

**C. Depositions**

Except as provided in paragraph D below, the Plaintiff intends to take the depositions of any individuals (not exceeding ten without the permission of the Court) identified through the

course of discovery as having knowledge of any matter, not privileged, that is relevant to the claim or defense of any party. The Plaintiff further states that, in the absence of discovery, it is too early to determine the number of depositions that will be necessary to complete discovery in this action.

The Defendants intend to take the depositions of any individuals (not exceeding ten without the permission of the Court) identified through the course of discovery as having knowledge of any matter, not privileged, that is relevant to the claim or defense of any party. The Defendants further state that, in the absence of discovery, it is too early to determine the number of depositions that will be necessary to complete discovery in this action.

The parties agree that all depositions, with the exception of expert depositions, will be conducted between June 1, 2005 and October 31, 2005.

D. Expert Discovery

The parties agree that discovery related to the identification and description of expert witnesses, in accordance with Fed. R. Civ. P. 26(a)(2), will be completed by October 31, 2005. The parties further agree to the following schedule with respect to expert witnesses:

1. Deadline for production of expert reports: November 30, 2005
2. Deadline for conclusion of depositions of experts: December 31, 2005

E. Interrogatories

The parties agree, except upon motion allowed by the Court, that each party will submit for response no more than 25 interrogatories, as permitted under the Federal Rules of Civil Procedure.

The parties further agree that all interrogatories will be submitted by April 30, 2005.

F. Document Requests

Both parties intend to serve document requests.

The parties agree that all requests for production of documents will be submitted by October 31, 2005.

**II. Proposed Schedule for Pre-Trial Matters**

**A. Amendment to Pleadings and Joinder of Parties**

The parties agree that all amendments to the pleadings and joinder of parties will be filed with the Court by May 31, 2005. Plaintiff reserves the right to file motions to amend the Complaint after May 31, 2005 with regard to claims of unlawful retaliation.

**B. Motions**

The parties agree that dispositive motions will be filed by January 31, 2006, and responses to dispositive motions will be filed by February 20, 2006. Reply briefs shall be filed fourteen days after the responses are filed, or March 6, 2006. Sur Reply briefs shall be filed fourteen days after the Reply briefs are filed, or March 20, 2006.

**C. Pretrial Conference / Trial**

The parties agree that a Pretrial Conference shall be held within one (1) month of the Court's decision(s) upon the Motions referenced in Section II(B) above, Court's schedule permitting.

The parties agree that a Trial shall be held within two (2) months of the Pretrial Conference, Court's schedule permitting.

**D. Discovery Disputes**

The parties agree to initially attempt to resolve all discovery disputes through informal means. If they are unable to do so, discovery motions will be filed with this Court.

**III. Trial by Magistrate**

The Plaintiff and Defendants wish to seek a trial before Magistrate Judge Judith G. Dein.

**IV. Certification Pursuant to L.R. 16.1**

Plaintiff's counsel certifies that he has conferred with his client (a) with a view to establishing a budget for the costs of conducting the full course, and various alternative courses of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in L.R.16.4.

The certification of Plaintiff Eileen Grady, also required by L.R. 16.1(D)(3), is attached hereto at Exhibit A.

The Defendants' counsel certifies that she has conferred with her clients (a) with a view to establishing a budget for the costs of conducting the full course, and various alternative courses of the litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in L.R. 16.4.

The certification of Defendants Wareham Police Department, Town Of Wareham, Thomas Joyce and Michael J. Hartman, also required by L.R. 16.1(D)(3), will be filed separately.

**V. Settlement**

The parties anticipate settlement discussions in the future.

Respectfully submitted,

Plaintiff, Eileen Grady,  
By her attorneys,



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Barbara A. Robb, BBO #639976  
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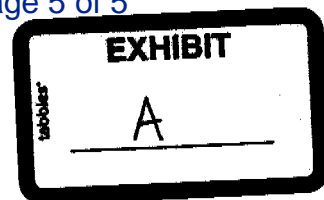
Dated: March 18, 2005

Defendants Wareham Police Department, Town  
Of Wareham, Thomas Joyce, and Michael J.  
Hartman,  
By their attorneys,



Leonard H. Kesten, BBO #542042  
Deborah I. Ecker, BBO #554623  
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Dated: March 18, 2005



UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS

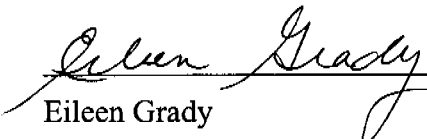
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Defendants.


C.A. NO: 05-10097-RWZ

**CERTIFICATION**

Pursuant to the Local Rules of the United States District Court for the District of Massachusetts, LR 16.1(D)(3), the Plaintiff Eileen Grady, and her counsel, hereby certify that they have conferred (a) with a view to establishing a budget for the costs of conducting the full course—and various alternative courses—of litigation, and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

DATED: March 17, 2005

  
Eileen Grady

  
Lawrence J. Casey (BBO #555766)  
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DATED: March 17, 2005